

**AMENDMENTS TO THE DRAWINGS:**

The attached sheet of drawings reflects changes to Figures 4 and 5. A replacement formal drawing incorporating the changes for each figure is also included.

As explained in detail below in the remarks section of this paper, Figs. 4 and 5 are amended to include the legend -- Prior Art-- .

**Attachments:** Replacement Sheets (Formal) (under a Submission of Formal Drawing cover sheet)

Annotated Sheets Showing Changes

**REMARKS**

Applicants respectfully request reconsideration of this application in view of the foregoing amendments and following remarks.

**Drawing Objections**

The drawings have been objected to for not being properly labeled as prior art. Applicants have amended Figs. 4 and 5 to each respectively include the legend --PRIOR ART--.

The drawings have also been objected to because reference number "405" in Fig. 4 is not mentioned in the written description.

The specification has been amended as shown above to include description of -- user device 405--, as illustrated in Fig. 4.

No new matter has been added. An annotated sheet is attached to show the actual changes made to Figures 4 and 5 (which are circled in red).

A Submission of Formal Drawings with replacement **FORMAL** sheets for Figures 4 and 5 respectively reflecting the foregoing amendments is included herewith.

Applicants respectfully submit that these objections are hereby satisfied and respectfully request that they be withdrawn.

**Objection to the Specification**

The specification has been objected to because of specified language used in the Abstract. (See §4, page 3 of the Office Action.) A revised Abstract is provided as requested by the Examiner. Applicants respectfully submit that this objection is hereby satisfied and respectfully request that it be withdrawn.

In addition, the specification has been amended as mentioned above with regard to the drawings to include description of reference numeral “405” from Figure 4 and to correct an inadvertent typographical error.

No new matter has been added.

**Claim Status**

Claims 1-74 are pending in this application. Claims 69-72 have been withdrawn from consideration. Claims 1-68, 73 and 74 are rejected and claims 69-72 have been withdrawn from consideration. Claims 1, 2, 10, 28-31, 33, 34, 42, 60-63, 65-68 and 73-74 are amended. Of the pending claims, claims 1, 28-31, 33, 60-63, 65-68 and 73-74 are independent in form. No new matter has been added.

**Claim Rejections**

**35 USC §102(e)**

Claims 1, 3-6, 8, 9, 13, 22, 26, 33, 35-38, 40,41, 45, 54 and 58 are rejected under 35 USC § 102(e) as being anticipated by Abrams (US Patent Publ. No. 2002/0138847) (“Abrams”). Claims 1-3, 9, 10, 13, 22, 23, 30, 31, 33-35, 41, 42, 45, 54, 55, 62, 63, 67 and 68 are rejected under 35 USC § 102(e) as being anticipated by Amini (“Amini”)(US Patent No. 6,698,021). (See Office Action, ¶8-9, pages 4-13.)

**35 USC §103(a)**

The following claims have been rejected under 35 USC § 103(a) as follows

Claims 7 and 39 as being unpatentable over Abrams in view of Vu (“Vu”)(US Patent No. 5,623,601); Claims 11 and 43 as being unpatentable over Amini; Claims 12 and 44 as being unpatentable over Abrams in view of Kogane (“Kogane”)(US Patent No. 6,323,897) and Vu; Claims 14 and 46 as being unpatentable over Abrams in view of Rowe; Claims 15 and 47 as being unpatentable over Amini in view of Garfinkle (“Garfinkle”)(US

Patent No. 6,017,157); Claims 16, 17, 19-21, 24, 25, 48, 49, 51-53, 56 and 57 as being unpatentable over Abrams in view of Needham ("Needham")(US Patent No. 6,803,945); Claims 18 and 50 as being unpatentable over Needham in view of Koyanagi ("Koyanagi")(US Patent No. 6,125,145); Claims 27, 59, 73 and 74 as being unpatentable over Abrams in view of Levy ("Levy")(US Patent No. 5,944,790); Claims 28, 60 and 65 as being unpatentable over Abrams in view of Amini and Garfinkle; Claims 29, 61 and 66 as being unpatentable over Abrams in view of Amini; Claims 32 and 64 as being unpatentable over Amini in view of Needham. (See Office Action, ¶¶12-22, pages 14-27.)

**Applicants' Reply**

Applicant respectfully disagrees with the characterization of the pending claims and of the prior art in the stated rejections and respectfully traverses these rejections.

Applicants have amended claims to more clearly recite one feature of the present invention and thereby distinguish claimed invention from the cited prior art at least in this regard.

In particular, independent claims 1, 28-31, 33, 60-63 and 65-68 have been amended to clearly recite that an image processing system of the present invention includes control means which controls at least a designated one of: capture of image data, creation of display image control data and information relative to the capture of the image data, or transmission of the image data and the display control data in accordance with a schedule designated in advance. The recited control means corresponds to upload process module 107 included in an image upload server 101 (Fig. 1), and is supported, for example, by the description from page 35, line 19 to page 36, line 8 and from page 37, line 26 to page 38, line 22 of the present specification.

That is, the schedule of the present invention is arranged so as to attain execution of a desired combination of image capture, creation of image information data from a template, and transmission of an image.

At least the above-described feature of the present invention is not taught or suggested by any of the cited references individually or in combination, and, in particular, Abrams or Amini. The Abrams reference teaches to transmit to a user, data such as time, date and data of pan, tilt and the like (see, e.g., paragraphs [0043] and [0049] thereof), and Amini also teaches to transmit a file name, date, time and the like (column 12, lines 54-60). However, each of those references fails to teach or suggest to effect control in accordance with a schedule designated in advance, as recited in the amended independent claims 1, 28-31, 33, 60-63 and 65-68.

Independent claims 73-74 are directed to a WWW server 215, for example, to which the upload server produces and uploads image data and related information thereof in accordance with a schedule designated in advance. This feature of the present invention also is not taught or suggested by any of the cited references.

Accordingly, for at least the stated reasons, the independent claims are believed neither taught nor suggested, and therefore neither anticipated by nor rendered obvious in view of, the prior art of record, taken individually or in any combination.

**Dependent Claims**

Applicants have not independently addressed the patentability of the dependent claims because Applicants submit that, as the independent claims from which the dependent claims depend are allowable for at least the reasons discussed *supra*, the dependent claims are allowable for at least similar reasons. Applicants, however, reserve the right to address and present independent bases for allowance of the dependent claims should such be necessary and appropriate.

**CONCLUSION**

In view of the foregoing, Applicants submit that the claims as herein presented are allowable over the prior art of record and that the rejections and objections, being overcome or otherwise rendered moot, be withdrawn. Applicants further submit that the application is hereby placed in condition for allowance which action is respectfully requested.

While Applicants believe the petitioned extension of time to be sufficient, should an additional extension of time be necessary to render this filing timely, such extension is hereby petitioned, and the Commissioner is hereby authorized to charge any additional fees that may be required for this paper, or credit any overpayment, to Deposit Account No. 13-4500, Order No. 1232-4658.

If any outstanding issues remain, however, the Examiner is invited to contact the undersigned at the telephone number below.

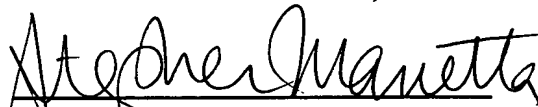
An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

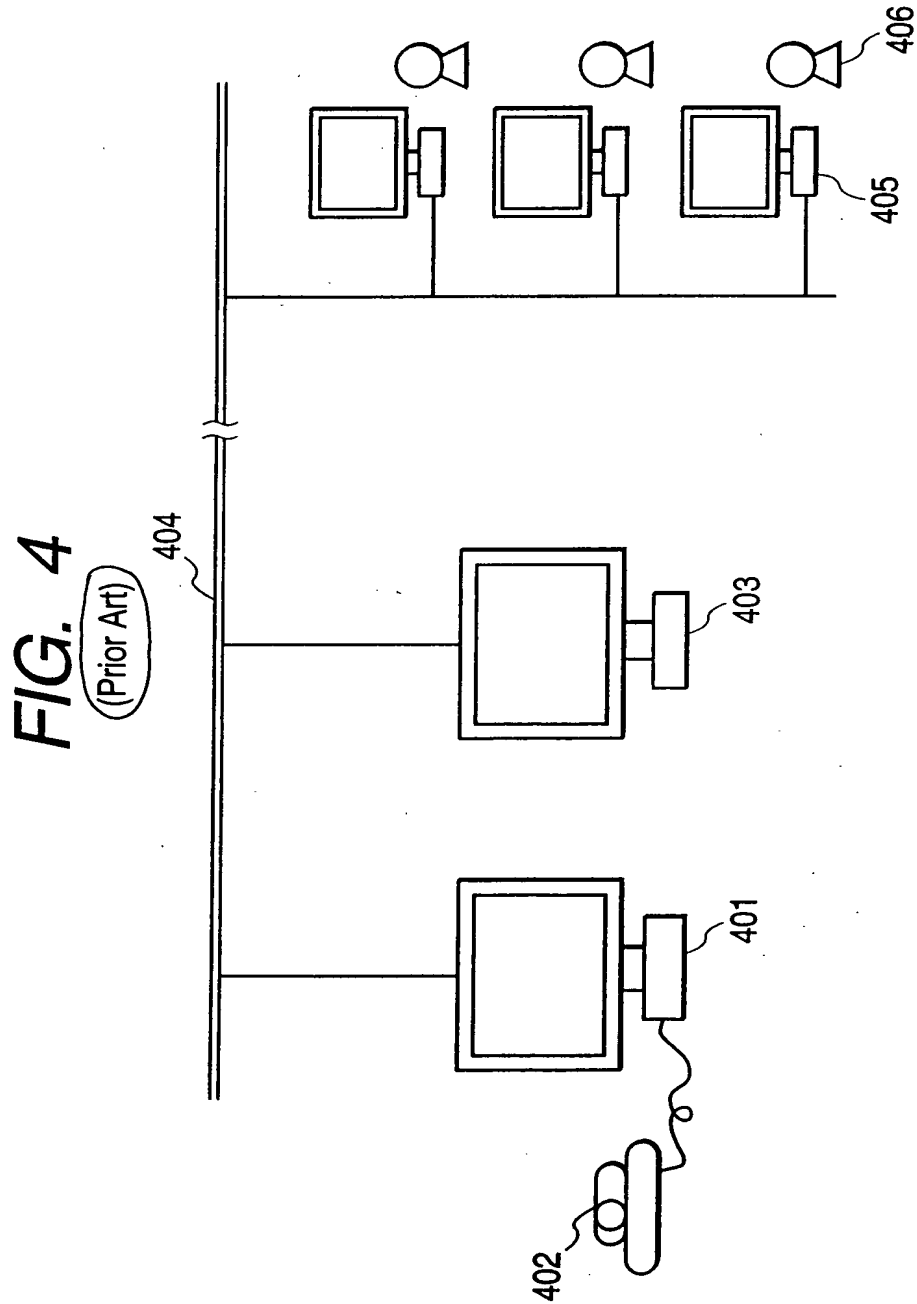
Dated: July 25, 2005

By:



Stephen J. Manetta  
Registration No. 40,426

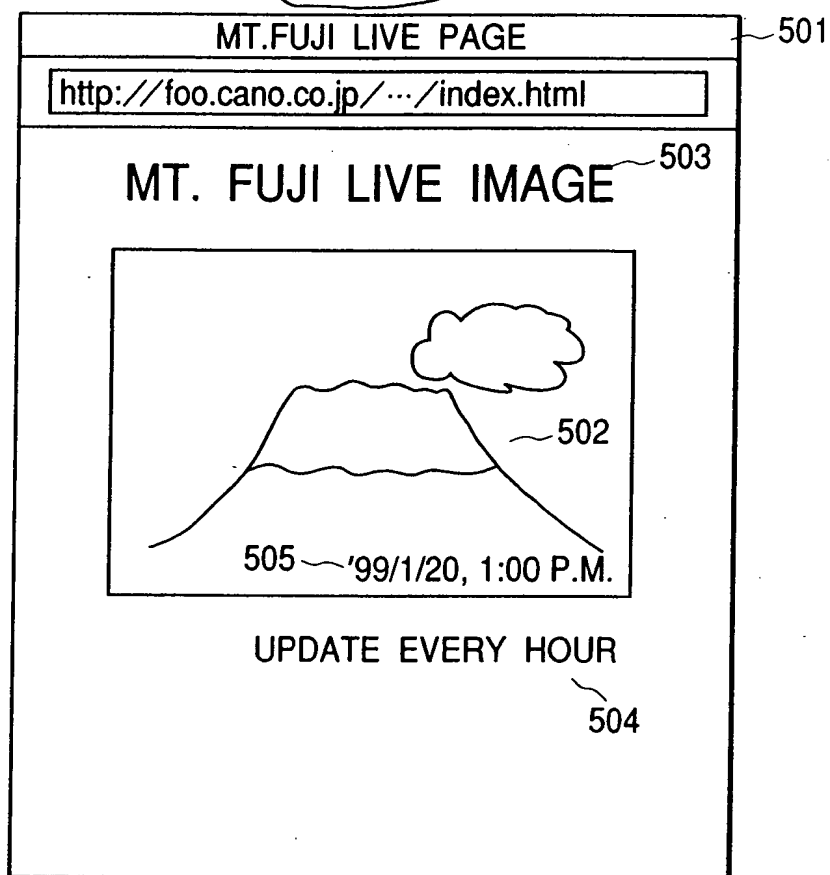
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**FIG. 5**

(Prior Art)



```
<html>
  <head>
    <title>MT. FUJI LIVE PAGE</title>
    <h1>MT. FUJI LIVE IMAGE</h1>
  </head>
  <body>
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      UPDATE EVERY HOUR
    </p>
  </body>
</html>
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The HTML code is enclosed in a bracket (506) on the right. Specific elements are labeled: 507 points to the opening <body> tag, 508 points to the <image> tag, and 509 points to the closing </body> tag.